

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN DOE, as Next Friend of JAMES DOE, on behalf of)
himself and 77 other similarly situated individual minors,)
)
Plaintiff,)
vs.) Case No.: 4:16-CV-00546
)
FORT ZUMWALT R-II SCHOOL DISTRICT,)
and)
)
MATTHEW M. HANSEN, Individually and in his)
Official Capacity as a Former Teacher of the)
Fort Zumwalt R-II School District,)
)
Defendants.)

PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

COMES NOW, Plaintiff, by and through counsel, pursuant to Rule 23 of the Federal Rules of Civil Procedure moves this court for the entry of an Order certifying this case as a class action. In support of this Motion, Plaintiff states as follows:

1. Plaintiffs to this action are minor children who were videotaped while nude. Defendant Fort Zumwalt R-II School District was the employer of Matthew Hansen. The School District operated a summer camp located at Cuivre River State Park in Lincoln County, Missouri. Defendant Hansen made his video recordings while the students were at the summer camp.

2. In June of 2012, the St. Charles County Sheriff's Department identified seventy-eight (78) total victims, both the minors and their parents.

3. This case seeks compensatory damages on behalf of the minors on legal claims, federal and state, for violations of the United States Constitution, the Child Abuse Victims Rights Act of 1986, 28 U.S.C. § 2255, as well as Missouri common law claims.

4. Plaintiffs seek certification of the following class: all minors videotaped by Matthew Hansen between calendar years 2007 and 2011, while they attended the Fort Zumwalt summer camp held at Cuivre River State Park.

5. Plaintiffs have contemporaneously filed with this Motion a Memorandum in Support of Plaintiffs' class certification, in which they demonstrate that class certification is warranted because each of the elements of Federal Rule of Civil Procedure 23(a) are met, and the requirements of each of Rules 23(b)(1), (b)(2), and (b)(3) are met as well.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests this Court enter an Order certifying this case as a class action.

Respectfully submitted,

THE BAGSBY LAW FIRM

SHEA, KOHL, ALESSI & KUHL, LC

/s/ Larry A. Bagsby
Larry A. Bagsby, #37296
125 North Main Street, Suite 204
St. Charles, MO 63301
(636) 244-5595 telephone
(636) 244-5596 facsimile
larrybagsby@aol.com
Counsel for Plaintiff

/s/ Deborah Alessi
Deborah J. Alessi, #39400MO
400 North Fifth Street, Suite 200
St. Charles, MO 63301
(636) 946-9999 telephone
(636) 946-8623 facsimile
dalessi@skaklaw.com
Co-Counsel for Plaintiff

CERTIFICATE OF SERVICE

A copy of the foregoing was electronically filed and served this 5th day of August, 2016, to:

Celynda L. Brasher
Michael J. Curry
Tueth, Keeney, Cooper,
Mohan & Jackstadt, PC
34 N. Meramec, Suite 600
St. Louis, MO 63105
cbrasher@tuethkeeney.com
Attorneys for Defendant Fort Zumwalt R-II School District

and mailed to:

Matthew M. Hansen, Inmate #40097-044
Federal Bureau of Prisons
FCI Texarkana
4001 Leopard Drive
Texarkana, TX 75501

/s/ Larry A. Bagsby